

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHARLES OAKLEY,

Plaintiff,

-v-

JAMES DOLAN *et al.*,

Defendants.

No. 17-cv-6903 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of Defendants' letter requesting a pre-motion conference at which they intend to seek permission to file a motion for summary judgment and a stay of discovery pending disposition of that motion. (Doc. No. 72.) The letter is premature, as the Court will not have jurisdiction over this matter until the mandate issues from the Court of Appeals. *See United States v. Rivera*, 844 F.2d 916, 921 (2d Cir. 1988) ("Simply put, jurisdiction follows the mandate."). Accordingly, Defendants' request for a pre-motion conference and stay of discovery is DENIED without prejudice to renewal following issuance of the Second Circuit's mandate.

SO ORDERED.

Dated: November 25, 2020
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation